



Congratulations on working safely....
No injuries reported to Medical Department this week!!

Days Since Last DART Case

(DART = Days Away, Restricted, or Transferred)

Previous Record				Current Record			
D/S	Days	D/S	Hours	D/S	Days	D/S	Hours
BS	1,723	PD	2,410,666	ES	2,497	CD	2,829,148
TD	1,429	TD	1,650,458	CD	2,141	ES	923,435
DI	1,303	BS	1,157,906	DI	2,045	WR	560,984
PD	983	AD	824,034	WR	1,272	PD	539,003
WR	871	WR	436,349	FI	596	DI	374,335
ES	651	CD	402,219	PD	234	TD	283,217
CD	333	ES	305,378	TD	230	AD	158,242
FE	320	DI	233,549	APC	170	FI	156,579
AD	282	FE	217,465	CMS	170	BS	104,037
APC	0	APC	0	FCPA	170	APC	40,564
CMS	0	CMS	0	BS	145	FE	29,700
FCPA	0	FCPA	0	AD	60	CMS	8,761
FI	0	FI	0	FE	46	FCPA	5,750

Days Worked at Lab since Last OSHA Recordable Injury

46

Fermilab Injuries and FY08 Goals

	FY2005	FY2006	FY2007	FY2008 to Date	GOAL
TRC Cases	28	29	32	1	<13
DART Cases	11	7	12	1	<6

Benchmarking with Argonne National Laboratory

Source: Argonne Today, 19 November 2007

Argonne FY08 YTD injury statistics

First-aid cases: 12 ([Fermilab has 8 First-aid cases](#))

Recordable case summary: 4 ([Fermilab has 1 Recordable case](#))

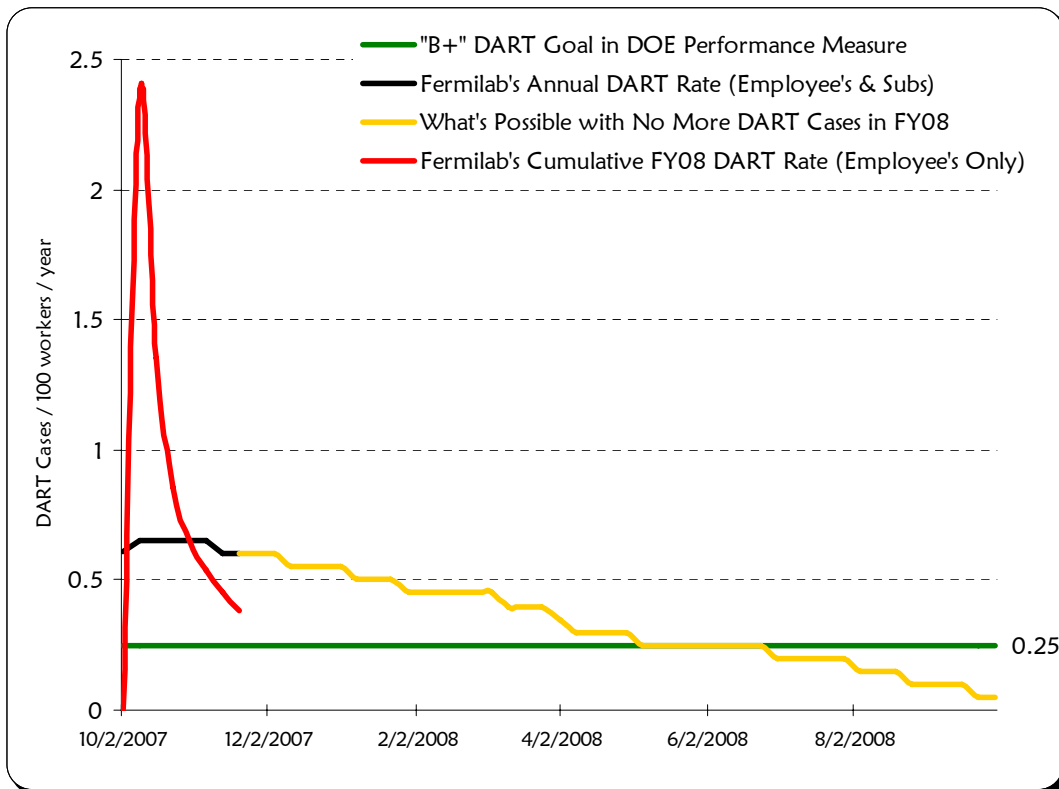
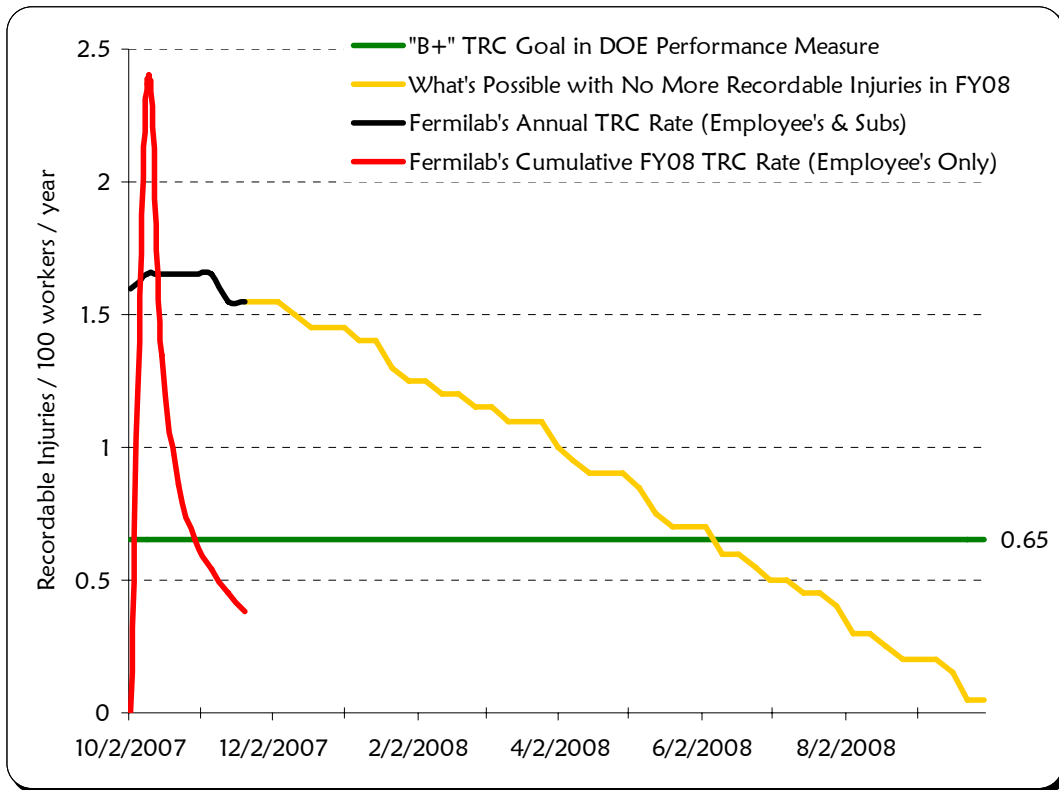
Days away, restricted or transferred: 0 ([Fermilab has 1 DART case](#))

Argonne's First aid cases last week:

- An employee reported to medical with complaint of discomfort in the left shoulder and upper back from overusing the shoulder while moving 50-pound converters without any assistance.
- An employee presented to Medical with a small cut to the right fourth finger from the computer keyboard holder.

As of Nov. 13, the current work hours since the last lost-workday injury are 316,224.

Injury Trends



Fermilab Leading/Lagging Indicators From 10/01/2007 To 11/19/2007

Outstanding
 Excellent
 Good
 Marginal
 Unsatisfactory

Org	ITNA Completion			Required ES&H Courses			Total Recordable Case Rate		Lost Workday Case Rate	
	Completed	Employees	%	Completed	Required	%	# Cases	Rate (per 100 man-years)	# Cases	Rate (per 100 man-years)
AD	513	513	100.0%	7,953	8,071	98.5%	0	0.00	0	0.00
APC	42	42	100.0%	362	364	99.5%	0	0.00	0	0.00
BS	143	143	100.0%	1,637	1,676	97.7%	0	0.00	0	0.00
CD	273	274	99.6%	1,980	2,052	96.5%	0	0.00	0	0.00
CMS	11	11	100.0%	59	60	98.3%	0	0.00	0	0.00
DI	39	40	97.5%	263	271	97.0%	0	0.00	0	0.00
ES	42	42	100.0%	560	569	98.4%	0	0.00	0	0.00
FCPA	7	7	100.0%	33	35	94.3%	0	0.00	0	0.00
FE	115	115	100.0%	2,064	2,110	97.8%	1	6.18	1	6.18
FI	59	59	100.0%	396	396	100.0%	0	0.00	0	0.00
PD	453	461	98.3%	4,541	4,723	96.1%	0	0.00	0	0.00
TD	231	233	99.1%	2,675	2,731	97.9%	0	0.00	0	0.00
WR	55	57	96.5%	378	379	99.7%	0	0.00	0	0.00
Fermilab	1,983	1,997	99.3%	22,901	23,437	97.7%	1	0.38	1	0.38

ITNA Completion	95 - 100%	90 - 94.9%	85 - 89.9%	80 - 84.9%	0 - 79.9%
Required ES&H Courses	95 - 100%	90 - 94.9%	85 - 89.9%	80 - 84.9%	0 - 79.9%
Total Recordable Case Rate	0 - .65	.75 - 1.2	1.3 - 1.85	1.95 - 2.5	³ 2.6
Lost Workday Case Rate	0 - .25	.35 - .5	.6 - .75	.85 - 1	³ 1.1

Employer Payment for Personal Protective Equipment; OSHA Final Rule

The final rule becomes effective on Feb. 13, 2008 and must be implemented by May 15, 2008.

Description of the OSHA Final Rule

This rule **does not** set forth new requirements regarding the PPE that must be provided and the circumstances in which it must be provided. **The rule merely requires employers to pay for the PPE that is used to comply with the Parts amended. The rule generally requires employers to pay for PPE, and sets forth specific exceptions where employers are not required to pay for such equipment.** The final rule includes the exceptions in the proposed rule, which have been clarified and simplified; clarifications of OSHA's intent in the proposed rule regarding everyday clothing and weather-related clothing; and clarifications regarding employee-owned PPE and replacement PPE that were raised by various commenters. While these clarifications have added several paragraphs to the regulatory text, the final rule provides employees no less protection than that provided by the proposal.

The first paragraph in the final rule contains the general requirement that employers must pay for the protective equipment, including personal protective equipment that is used to comply with the amended OSHA standards. (See 29 CFR 1910.132(h)(1); 1915.152(f)(1); 1917.96; 1918.106; 1926.95(d)(1)) The provisions that follow the first paragraph modify this general requirement for employer payment and include the limited exceptions to the employer-payment rule. **Employers are responsible for paying for the minimum level of PPE required by the standards.** If an employer decides to use upgraded PPE to meet the requirements, the employer must pay for that PPE. **If an employer provides PPE at no cost, an employee asks to use different PPE, and the employer decides to allow him or her to do so, then the employer is not required to pay for the item.**

Exceptions

The first exception addresses non-specialty safety-toe protective footwear and non-specialty prescription safety eyewear. (See 29 CFR 1910.132(h)(2); 1915.152(f)(2); 1917.96(a); 1918.106(a); 1926.95(d)(2)) The regulatory text makes clear that **employers are not required to pay for ordinary safety-toe footwear and ordinary prescription safety eyewear, so long as the employer allows the employee to wear these items off the job-site.**

[The second exception applies to metatarsal foot protection and the third exception relates to logging boots required by the logging standard.]

The fourth exception to employer payment in the final rule relates to everyday clothing. (See 29 CFR 1910.132(h)(4)(ii); and 1926.95(d)(4)(i)) The final rule recognizes that there are certain circumstances where long-sleeve shirts, long pants, street shoes, normal work boots, and other similar types of clothing could serve as PPE. However, where this is the case, **the final rule excepts this everyday clothing from the employer payment rule. Similarly, employers are not required to pay for ordinary clothing used solely for protection from weather, such as winter coats, jackets, gloves, and parkas** (See 29 CFR 1910.132(h)(4)(iii); and 1926.95(d)(4)(ii)). In the rare case that ordinary weather gear is not sufficient to protect the employee, and special equipment or extraordinary clothing is needed to protect the employee from unusually severe weather conditions, the employer is required to pay for such protection. OSHA also notes that clothing used in artificially-controlled environments with extreme hot or cold temperatures, such as freezers, are not considered part of the weather gear exception.

Bottom Line: Fermilab's current PPE purchase and reimbursement policy complies with the new standard.